REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-3, 5-12, and 14-27 are currently pending in the application. No claim amendments are presented, thus no new matter is added.

In the outstanding Official Action, Claims 1-3, 5-12 and 14-27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nakamura et al. (U.S. Patent No. 5,913,039, hereinafter "Nakamura") as applied, and further in view of Wiser et al. (U.S. Patent No. 6,868,403 B1, hereinafter "Wiser").

Applicants respectfully traverse the rejection of Claims 1-3, 5-12 and 14-27, as Nakamura fails to teach or suggest specific claim features for which it is asserted as a primary reference under 35 U.S.C. § 103.

Independent Claim 1 relates to a method of reserving and accessing resources in a distribution server. As depicted in an exemplary, non-limiting embodiment at Fig. 1, and the flowcharts of Figs. 21, 25 and 37, a user terminal apparatus (e.g., user PC 106) transmits a reservation request (including a desired service time) to distribute contents using a distribution server via a first network (e.g., Internet 103) to a reservation control apparatus (e.g., server reservation control center 101). The reservation control apparatus creates authentication information corresponding to an accepted reservation, and sends the authentication information from the reservation control apparatus to the user terminal apparatus via the first network. Then, the authentication information is then sent from the user terminal apparatus to the distribution server when attempting to access the distribution server (e.g., streaming server 102) to distribute content. Once the user terminal apparatus is authenticated, the user terminal apparatus transmits content to the distribution server via a

second network (e.g., dedicated server connection network 108), and the content is broadcast

by the distribution server over the first network (e.g., Internet 103).

Specifically, independent Claim 1, recites, *inter alia* a method of reserving an access

and resource in a distribution server, comprising:

> ...transmitting content *from the user terminal*
> *apparatus to a distribution server via a second network*;
> broadcasting by the content distribution server, *said*
> *content data received from said user terminal apparatus over*
> *said first network.*

Independent Claims 10, 18, 22, 26 and 27, while directed to alternative embodiments,

recite substantially similar features. Accordingly the arguments presented below apply to

each of the pending independent claims.

Using such a reservation system for live distribution, it is possible for many users of

the distribution server to effectively distribute content. Each user terminal requests, via the

first network, a specific time to transmit content to the server via the second network to the

distribution server. The distribution server then broadcasts the content sent from the user

terminal (e.g., user PC 106) over the first network (e.g., Internet 103).

Turning to the applied references, Nakamura describes an on-demand cable system

including a multimedia server, which is connected to a plurality of clients via a network and

capable of distributing multimedia content based on a reservation received from one of the

client devices.[1] In Nakamura's system, a multimedia transmission request is sent from a

client device (101/115) to a server device (120) via a network (130) and is stored in an input

queue buffer unit (123).[2] Then, a reproduction schedule table is generated which stores

scheduled transmissions of requested multimedia content to the requesting client over the

network.[3] Thus, Nakamura describes a content distribution system in which a user is able to

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[1] Nakamura,, Abstract.
[2] Id., col. 1, lines 40-45.
[3] Id., col. 1, line 53 through col. 2, line 15.

schedule, or request, specific content to be distributed from the server device to the client

terminal at a predetermined time.

However, Nakamura fails to teach or suggest that content is transmitted from the

client (101) to the server (120) and broadcasted by the content distribution server, as recited

in independent Claim 1.

In addressing these claimed features, the outstanding Official Action cites col. 1, lines

40-65 and col. 2, lines 16-38 of Nakamura, and states "examiner consider data stream

transmitted from server interface unit and carried out by client as transmitting content from

the user terminal apparatus to the distribution server via second network".[4] Thus, the Official

Action appears to be considering the server (120) of Nakamura analogous to the claimed

"user terminal apparatus", and the client (101) analogous to the claimed "distribution server".

This interpretation of Nakamura is in contrast to the interpretation of this reference in

light of the "reservation requesting", "reservation accepting", "storing", etc., steps recited in

independent Claim 1. Specifically, should Nakamura's "server interface" be interpreted as

analogous to the "user terminal apparatus", as recited in the claims, it is clear that this "server

interface" does not send reservation request information to a reservation control apparatus;

store authentication information; or perform other features recited in relation to the "user

terminal" apparatus, as recited in independent Claim 1.

However, assuming *arguendo* that a "…data stream transmitted from server interface

unit and carried out by client" is analogous to "transmitting content from the user terminal

apparatus to the distribution server via second network", this content sent to the client is

clearly not broadcast by the client. Independent Claim 1 recites *broadcasting by the content*

distribution server, said content data received from said user terminal apparatus over said

first network. As described at col. 1, lines 40-67 of Nakamura, the content data requested by

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[4] Outstanding Official Action, p. 3.

the client (101) and transmitted from the server (120) to the client (101) to be reproduced and is not *broadcasted by the* client (101) *over said first network*, as recited in independent Claim 1.

Thus, the system described by <u>Nakamura</u>, regardless of the interpretation, fails to teach or suggest the method recited in independent Claim 1. Specifically, <u>Nakamura</u> fails to teach or suggest transmitting content *from the user terminal apparatus to a distribution server via a second network*, and broadcasting by the content distribution server, *said content data received from said user terminal apparatus over said first network*, as recited in independent Claim 1.

Similarly to <u>Nakamura</u>, <u>Wiser</u> fails to teach or suggest the above differentiated claimed features. Thus, neither <u>Wiser</u> nor <u>Nakamura</u> neither alone or in combination teach or suggest the above-noted features recited in amended Claim 1.

Accordingly, Applicant respectfully requests the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. For substantially the same reasons as given with respect to amended Claim 1, it is also submitted that independent Claims 10, 18, 22, 26 and 27 patentably define over the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted in the invention defined by Claims 1-3, 5-12, and 14-27 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.
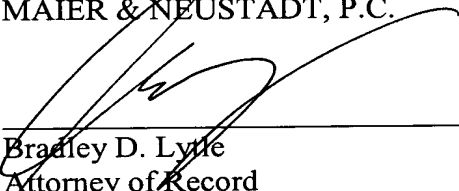
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073
Andrew T. Harry
Registration No. 56,959

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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